

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF NEW YORK

-----X

UNITED STATES OF AMERICA, :

10 CR. 100 (JG)

- v. - :

COREY DAVIS, :

Defendant. :

-----X

DEFENDANT COREY DAVIS'S MOTION TO COMPEL THE BUREAU OF PRISONS
TO STOP OPENING AND INTERFERING WITH HIS LEGAL MAIL

LEONARD F. JOY, ESQ.
Federal Defenders of New York
Attorney for Defendant
COREY DAVIS
One Pierrepont Plaza, 16th Floor
Brooklyn, New York 11201
Tel.: (718) 330-1208

DEIRDRE D. VON DORNUM
Of Counsel

TO: LORETTA E. LYNCH, ESQ.
United States Attorney
Eastern District of New York
271 Cadman Plaza East
Brooklyn, New York 11201
Attn: AMIR TOOSI, ESQ.
Assistant United States Attorney

NICOLE MCFARLAND, ESQ.
MDC BROOKLYN
100 29TH STREET
BROOKLYN, NEW YORK 11232

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF NEW YORK

-----X

UNITED STATES OF AMERICA, :

10 CR. 100 (JG)

- v. - :

COREY DAVIS, :

Defendant. :

-----X

DEFENDANT COREY DAVIS'S MOTION TO COMPEL THE BUREAU OF PRISONS
TO STOP OPENING AND INTERFERING WITH HIS LEGAL MAIL

The defendant, Corey Davis, hereby moves to compel the Bureau of Prisons to stop opening and interfering with his legal mail in violation of 28 C.F.R. § 540. Mr. Davis has used every administrative means possible within the Bureau of Prisons to complain of, and seek relief for, the repeated violations of his right to private legal mail. Despite the Bureau of Prisons' confession of error with respect to the handling of his legal mail, the violation of his rights continues. Accordingly, Mr. Davis now seeks the Court's intervention in stopping the Bureau of Prisons from opening and interfering with his legal mail.

Statement of Facts

Corey Davis has been detained in the custody of the Bureau of Prisons since December 27, 2006. Since the time of his confinement, his legal mail has repeatedly been opened and

otherwise interfered with, contrary to governing federal regulations. For example, while he was previously incarcerated at the MDC Brooklyn, his incoming legal mail was opened and delivered via the general mail process on February 7, February 27, April 8, April 13, and May 1, 2009. Mr. Davis filed a request for administrative remedy, asking that this mishandling be investigated and stopped. See Exhibit A, Request for Administrative Remedy, dated May 2, 2009. The Warden responded to this request for administrative remedy and agreed that "discrepancies did occur during the processing of [his] legal mail. Specifically, the correspondences should have been processed as legal mail and opened and inspected in [his] presence. Furthermore, [he] should have signed for receipt of the mail in the legal mail log book." See Exhibit B, Letter of Warden Lindsay, dated May 28, 2009. The Warden agreed that an error was made and stated that immediate training was conducted with the Mail Room staff to ensure proper procedures for processing of legal mail. See id.

Despite this, the improper opening of, and interference with, Mr. Davis's legal mail has continued. On about August 31, 2009, when he was housed in the SHU following the incident that is the subject of the instant case, three pieces of his outgoing legal mail were shredded by the staff of MDC Brooklyn. Mr. Davis was informed by a MDC Lieutenant of the shredding and that the

incident was under investigation. See Exhibit C, Letter of Corey Davis to S.I.A. Drake, dated May 11, 2010, Exhibit D, Inmate Request for Informal Resolution, dated May 18, 2010, and Exhibit E, Request for Administrative Remedy, dated July 2, 2010. The warden at that time, Cameron Lindsay, informed Mr. Davis that an investigation was ongoing and that he could request and receive information pertaining to the findings of the investigation. See Exhibit F, Letter of Warden Lindsay, dated October 2, 2009. However, he was subsequently told that although the matter was referred for investigation, he could not learn the outcome of that investigation, "[d]ue to the privacy interest of the staff member." See Exhibit G, Letter of S.I.A. Drake, dated May 26, 2010, and Exhibit H, Letter of Warden Terrell, dated August 12, 2010.

Indeed, this illegal opening and interference with legal mail has continued since Mr. Davis's transfer back to the Metropolitan Detention Center in Brooklyn in May 2010 to face the assault charge currently pending before this Court. For example, on June 7, 2010, two letters from this Court stamped "Legal Mail - Open in Presence of Inmate" were delivered opened and through the general mail process. See Exhibit I, Request for Administrative Remedy, dated July 11, 2010. Warden Terrell responded to this request for administrative remedy by explaining that correspondence from a clerk of court does not fall with the

legal mail category and thus will not be treated as special mail. See Exhibit J, Letter of Warden Terrell, dated July 29, 2010. On August 6, 2010, a package of discovery sent to Mr. Davis from the Federal Defenders office and clearly marked as legal mail was opened in Mr. Davis's presence and the case manager began to review it. The case manager identified a document amongst the discovery (an inmate list) that concerned him; he then took the entire package, including a cover letter containing attorney-client communications, out of Mr Davis's presence and did not return the package for several hours. See Exhibit K, Request for Administrative Remedy, dated August 6, 2010. Warden Terrell responded to this incident by stating that the documents in the legal mail possibly posed security concerns and therefore were removed for internal review and then returned to Mr. Davis. See Exhibit L, Letter of Warden Terrell, dated August 20, 2010. On September 2, 2010, Mr. Davis received a properly marked legal letter from his appellate attorney via the general mail process; that letter, which continued attorney-client communications, had been opened before it was delivered to Mr. Davis. See Exhibit M, front of envelope from Robin C. Smith, Esq.; Exhibit N, Inmate Request for Informal Resolution, dated September 8, 2010. On September 7, 2010, Mr. Davis received correspondence from the U.S. District Court in Connecticut, which was properly marked as legal correspondence, through the general mail process.

See Exhibit O, front of envelope from U.S. District Court, Connecticut; Exhibit N, Inmate Request for Informal Resolution, dated September 8, 2010. Mr. Davis to date has received no response regarding the latest incidents.

Mr. Davis several times has asked whether he is on restricted special mail status but has received no response. See, e.g., Exhibit I.

Argument

Federal regulations clearly state that properly identified and marked as incoming legal mail can be opened only in the presence of the inmate. 28 C.F.R. § 540. Legal mail falls into the category of "special mail" where the sender is clearly indicated as an attorney or court (*inter alia*) and the envelope is stamped "Special Mail--Open only in the presence of the inmate". 28 C.F.R. § 540.19; 540.2(c). The governing regulation provides, "[t]he Warden shall open incoming special mail only in the presence of the inmate for inspection for physical contraband and the qualification of any enclosures as special mail. The correspondence may not be read or copied...." *Id.* § 540.19(a).

~~Special mail includes mail sent to an inmate from the U.S.~~

Courts. See 28 C.F.R. § 540.2(c).¹ Similarly, properly

¹Section 540.2(c) provides: Special Mail means correspondence sent to the following: President and Vice President of the United States, the U.S. Department of Justice (including the Bureau of Prisons), U.S. Attorneys Offices, Surgeon General, U.S. Public Health Service, Secretary of the Army,

identified and marked outgoing legal mail may not be opened and read. 28 C.F.R. § 540.18(c)(1).

The only exception to these regulations governing the handling of legal mail is for inmates who are on restricted special mail status. 28 C.F.R. § 540.18(c)(2). An inmate placed on restricted special mail status is to be notified in writing by the Warden that he has been placed on this status. 28 C.F.R. § 540.18(c)(2)(ii).

Mr. Davis has received no notification that he is on restricted special mail status. However, his legal mail from attorneys and courts is regularly opened prior to being given to him, and on at least one occasion was taken out of his presence and read. These actions have occurred despite Mr. Davis's immediate and clear objection to them, and despite an official letter from the warden acknowledging the existence of this problem. These actions interfere with Mr. Davis's ability to

Navy, or Air Force, U.S. Courts (including U.S. Probation Officers), Members of the U.S. Congress, Embassies and Consulates, Governors, State Attorneys General, Prosecuting Attorneys, Directors of State Departments of Corrections, State Parole Commissioners, State Legislators, State Courts, State Probation Officers, other Federal and State law enforcement offices, attorneys, and representatives of the news media.

Special Mail also includes correspondence received from the following: President and Vice President of the United States, attorneys, Members of the U.S. Congress, Embassies and Consulates, the U.S. Department of Justice (excluding the Bureau of Prisons but including U.S. Attorneys), other Federal law enforcement officers, State Attorneys General, Prosecuting Attorneys, Governors, U.S. Courts (including U.S. Probation Officers), and State Courts. For incoming correspondence to be processed under the special mail procedures (see §§ 540.18-540.19), the sender must be adequately identified on the envelope, and the front of the envelope must be marked "Special Mail--Open only in the presence of the inmate".

correspond privately with his attorneys, and violate his right to confidential legal communications. The recent violations, which have occurred while Mr. Davis's assault case has been pending before this Court, have either not been addressed by the Bureau of Prisons, or have been addressed by a mis-stating of the law (e.g., the Warden's statement that mail from the Clerk of Court of a U.S District Court is not special mail). As trial draws near, it is particularly important that Mr. Davis be able to receive and send out confidential attorney-client communications.

Conclusion

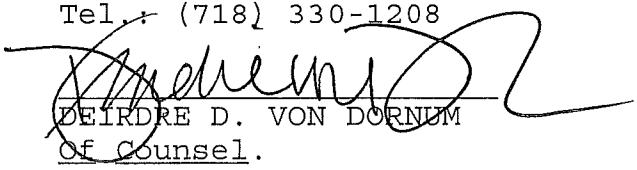
Mr. Davis's legal mail has been repeatedly opened and interfered with in violation of federal regulations. Wherefore, it is respectfully requested that this Court enter an order directing the Bureau of Prisons to cease opening and otherwise interfering with Mr. Davis's legal mail.

Dated: Brooklyn, New York
October 6, 2010

LEONARD F. JOY, ESQ.
Federal Defenders of New York, Inc.

Attorney for Defendant
COREY DAVIS

One Pierrepont Plaza
Brooklyn, New York 11201
Tel. (718) 330-1208



DEIRDRE D. VON DORNUM
Of Counsel.

TO: LORETTA E. LYNCH, ESQ.
United States Attorney
Eastern District of New York
271 Cadman Plaza East
Brooklyn, New York 11201
Attn: AMIR TOOSI, ESQ.
Assistant United States Attorney

NICOLE MCFARLAND, ESQ.
MDC BROOKLYN
100 29TH STREET
BROOKLYN, NEW YORK 11232

EXHIBIT A

Type or use ball-point pen. If attachments are needed, submit four copies. Additional instructions on reverse.

From: DAVIS, Corey 42898-053 3 North MDC Brooklyn
LAST NAME, FIRST, MIDDLE INITIAL REG. NO. UNIT INSTITUTION

Part A- INMATE REQUEST *There is a pattern of illegally opening my incoming legal mail and delivering it through the general mail and not unit team. On February 7th and 27th I received clearly marked legal mail via the general mail process. Then this happened again on April 8th, 13th, and May 1st. On May 1st I asked C.O. Hamadiri to put the incident in his log, which he did. I would like to know who is responsible for blatantly violating F.B.O.P. policy and why. I ask that this be investigated and the appropriate action taken to stop this from ever happening again. Thank you.*

5/2/09
DATE

Corey Davis
SIGNATURE OF REQUESTER

Part B- RESPONSE

DATE

WARDEN OR REGIONAL DIRECTOR

If dissatisfied with this response, you may appeal to the Regional Director. Your appeal must be received in the Regional Office within 20 calendar days of the date of this response.

ORIGINAL: RETURN TO INMATE

CASE NUMBER: 537997 F1

CASE NUMBER: _____

Part C- RECEIPT

Return to: _____
LAST NAME, FIRST, MIDDLE INITIAL REG. NO. UNIT INSTITUTION

SUBJECT: _____

DATE

RECIPIENT'S SIGNATURE (STAFF MEMBER)



100% RECYCLED PAPER

EXHIBIT B

Inmate Name: **DAVIS**, Corey
Register Number: 42898-053
Administrative Remedy No.: 537997-F1

This is in response to your Request for Administrative Remedy, received May 8, 2009, wherein you request that an investigation be conducted and appropriate action taken pertaining to the processing of your incoming legal mail. Specifically, you state that on February 7, February 27, April 8, April 13, and May 1, 2009, your incoming legal mail was opened and delivered via the general correspondence mail process.

An inquiry of the matter regarding the above referenced occurrences reveals that discrepancies did occur during the processing of your legal mail. Specifically, the correspondences should have been processed as legal mail and opened and inspected in your presence. Furthermore, you should have signed for receipt of the mail in the legal mail log book presented to you by a member of your Unit Team.

Subsequently, it has been determined that an error was made during the processing of these items. Accordingly, immediate training has been conducted with the Mail Room staff to ensure the proper procedures for the identification and processing of all incoming legal mail correspondences.

Based on the above referenced information your request for administrative remedy has been granted as the matter has been investigated and additional training provided.

If you are dissatisfied with this response, you may appeal to the Regional Director, Federal Bureau of Prisons, U.S. Custom House, 2nd & Chestnut Streets, 7th Floor, Philadelphia, Pennsylvania 19106, within twenty (20) calendar days of this response.

5-28-9
Date



Cameron Lindsay, Warden

EXHIBIT C

Mr. Corey Davis
MDC Brooklyn 80-24th St.
Brooklyn, New York 11232
May 11, 2010

Mr. Drake, SIA
MDC Brooklyn
Brooklyn, New York 11232
Re: shredded legal mail

Dear Mr. Drake:

On or about August 31, 2009 three pieces of my legal mail was shredded while I was housed in the SHU here at MDC. Lt. Cooper told me it was under investigation and continued to tell me this until my transfer on December 21, 2009. Can please give me the results of your investigation. Including who was responsible for my mail being shredded and why. I would appreciate a response as soon as possible. I thank you for all attention to this matter.

Very Truly Yours,



Corey Davis 47898-053

EXHIBIT D

Attachment 1
BRO 1330.07INMATE REQUEST FOR INFORMAL RESOLUTIONNAME: Corey Davis REG. 42898-053UNIT: I 61

SPECIFIC ISSUE NEEDING

RESOLUTION: Information regarding the shredding of my legal mail.

EXPLAIN, IN DETAIL THE ISSUE:

On August 28, 2009 Capt. Edge informed me that three (3) pieces of legal mail I had sent out the previous night had been found partially shredded in SHU. Since that time I have been refused copies of the mail and told the incident was under investigation. I would like to know the results of the investigation. Thank you

INMATE SIGNATURE: [Signature] DATE: May 18, 2010

TO BE COMPLETED BY COUNSELOR

DATE RECEIVED: 19 MAY 10

ACTION TAKEN: Forwarded to Correctional Service Center for further disposition. I spoke with Capt. [Name] and he informed me that the investigation into the alleged partial destruction of legal mail is ongoing at this time.

COUNSELOR SIGNATURE: [Signature] DATE: 19 MAY 10

TO BE COMPLETED BY UNIT MANAGER

INFORMAL RESOLUTION RECEIVED _____

UNIT MANAGER SIGNATURE _____ DATE: _____

EXTENSION GRANTED _____ DATE DUE _____

REASON FOR EXTENSION _____

UNIT MANAGER APPROVAL _____ DATE _____

EXHIBIT E

U.S. DEPARTMENT OF JUSTICE

REQUEST FOR ADMINISTRATIVE REMEDY

Federal Bureau of Prisons

Type or use ball-point pen. If attachments are needed, submit four copies. Additional instructions on reverse.

From: DAVIS, Corey 42898-053 I-61 MDC Brooklyn
 LAST NAME, FIRST, MIDDLE INITIAL REG. NO. UNIT INSTITUTION

Part A- INMATE REQUEST

On August 28, 2009 while housed in the SHU I mailed three pieces of legal mail. The following morning Captain Edge informed me that the mail had been found shredded. I have sought to gain copies of the shredded mail and been refused by both Capt. Edge and Lt. Cooper. I have also tried to find out who is responsible for this violation and why. Please provide me copies of the shredded mail 2) Please inform me who shredded my mail and why. 3) Please inform me if my mail was logged in the "legal mail" log book that day or the following, and if so, by whom. 4) Please inform me the status of the investigation, and who or what entity it has been referred to. Thank You.

DATE

July 2, 2010

SIGNATURE OF REQUESTER

Part B- RESPONSE

DATE

WARDEN OR REGIONAL DIRECTOR

If dissatisfied with this response, you may appeal to the Regional Director. Your appeal must be received in the Regional Office within 20 calendar days of the date of this response.

ORIGINAL: RETURN TO INMATE

CASE NUMBER: 598310F2

CASE NUMBER: _____

Part C- RECEIPT

Return to:

LAST NAME, FIRST, MIDDLE INITIAL

REG. NO.

UNIT

INSTITUTION

SUBJECT: _____

DATE

RECIPIENT'S SIGNATURE (STAFF MEMBER)



EXHIBIT F

Inmate Name: DAVIS, Corey
Register Number: 42898-053
Administrative Remedy No.: 556066-F1

This is in response to your Request for Administrative Remedy received September 15, 2009, wherein you allege that three documents that you attempted to mail, as legal mail, were shredded and you request various information pertaining to this alleged occurrence. Additionally, you allege that this is your sixth complaint pertaining to the handling of your legal mail and legal materials. Moreover, you request that the allegedly shredded documents be preserved, and video surveillance captured, as you state the aforementioned items will be utilized in a United States court matter.

Currently, an investigation of the matter is ongoing with reference to the allegations made in this administrative remedy. Subsequent to the completion of this investigation you may request and receive information pertaining to the findings, if any, of the allegations stated in this administrative remedy.

Based on the above referenced information, this response is for informational purposes only.

If you are dissatisfied with this response, you may appeal to the Regional Director, Federal Bureau of Prisons, U.S. Custom House, 2nd and Chestnut Street, Philadelphia, PA 19106, within 20 calendar days of the date of this response.

10/2/09
Date

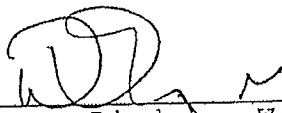

Cameron Lindsay, Warden

EXHIBIT G

INMATE DAVIS, THE MATTER WAS REFERRED TO THE APPROPRIATE
AGENCY, HOWEVER, YOU WILL NOT BE INFORMED ON THE OUTCOME
OF THE INVESTIGATION.

SIA DRAKE 5/26/10

EXHIBIT H

Inmate Name: DAVIS, Corey
Register Number: 42898-053
Administrative Remedy No.: 598310-F2

This is in response to your Request for Administrative Remedy, received August 2, 2010, wherein you are requesting copies of shredded mail, the name of who shredded the mail, and whom this referral has been sent. Specifically, you state you were told three pieces of your legal mail was shredded while housed in the Special Housing Unit.

It is the policy of the Federal Bureau of Prisons, and the practice followed by this facility, to treat all inmates in a fair and impartial manner. Additionally, allegations such as yours are taken seriously and will be given an appropriate amount of review and/or investigation. Due to the privacy interest of the staff member, we are unable to disclose to you any findings or the result of our review of this matter.

Since you do not name the specific remedy you seek, this response is for informational purposes only.

If you are dissatisfied with this response, you may appeal to the Regional Director, Federal Bureau of Prisons, U.S. Custom House, 2nd and Chestnut Streets, Philadelphia, PA 19106, within 20 calendar days of the date of this response.

8/12/10
Date

Johnnie Carr
Duke Terrell, Warden

EXHIBIT I

* Informal was not answered

Type or use ball-point pen. If attachments are needed, submit four copies. Additional instructions on reverse.

From: DAVIS, Corey 42898-053 SHU MAC-Brooklyn
LAST NAME, FIRST, MIDDLE INITIAL REG. NO. UNIT INSTITUTION

Part A- INMATE REQUEST

On June 7, 2010 a letter from a United States District Court addressed to me, and clearly stamped "Legal Mail - Open in Presence of Inmate", was delivered to me through the general mail process by C.O. Clinton. He documented this error in his log book. Again on June 7, 2010 a letter from the Clerk of the U.S. District Court - Eastern District of New York addressed to me and clearly stamped "Legal Mail" was delivered to me through the general mail process by C.O. Jamaica. He verified this by signing a log out (see attached log-out). This is an ongoing problem dating back to February 2009. On May 8, 2009 in response to Admin. Remedy No. 53799-FI I was told the problem was corrected. It has not. I would like to know 1) Am I under any form of special mail review? 2) Is the mailroom required to document incoming legal mail? 3) Why this pattern of violative actions keeps occurring?

DATE

July 11, 2010

SIGNATURE OF REQUESTER

Part B- RESPONSE

DATE

WARDEN OR REGIONAL DIRECTOR

If dissatisfied with this response, you may appeal to the Regional Director. Your appeal must be received in the Regional Office within 20 calendar days of the date of this response.

ORIGINAL: RETURN TO INMATE

CASE NUMBER: 58 MAC

CASE NUMBER: S98225 FI

Part C- RECEIPT

Return to: _____
LAST NAME, FIRST, MIDDLE INITIAL REG. NO. UNIT INSTITUTION

SUBJECT: _____

DATE

RECIPIENT'S SIGNATURE (STAFF MEMBER)



EXHIBIT J

Inmate Name: **DAVIS**, Corey
Register Number: 42898-053
Administrative Remedy No.: 598225-F1

This is in response to your Request for Administrative Remedy, dated July 11, 2010, concerning legal mail. You allege your legal/special mail was opened outside of your presence by staff.

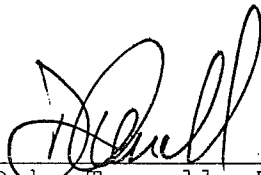
An investigation into this matter has revealed, on July 15, 2010, the Correctional Systems Supervisor met with you to explain legal mail procedures. Your mail was not identified as legal mail. A letter was mailed to you from the Clerk of the court. Your mail did not meet the required procedures for incoming attorney-client correspondence to be afforded special mail privileges.

This information is found in PS5800.10, Mail Management, section 305, which details the legal mail procedures for incoming attorney-client correspondence to be afforded special mail privileges. Specifically, the sender must be adequately identified on the envelope as an attorney, U S. Congress, Governors, Embassies and Consulates, etc. Clerk of the court is not listed. Even though, your envelope was marked "Special Mail Open Only in the Presence of the Inmate," it does not meet the requirements to be afforded special/legal mail privileges. This type of mail will be treated as general correspondence.

Accordingly, this response is for informational purposes only.

If you are dissatisfied with this response, you may appeal to the Regional Director, Federal Bureau of Prisons, U.S. Customs House 2nd and Chestnut Streets, Philadelphia, PA 19106, within 20 calendar days of the date of this response.

7/29/10
Date



Duke Terrell, Warden

EXHIBIT K

REQUEST FOR ADMINISTRATIVE REMEDY

Type or use ball-point pen. If attachments are needed, submit four copies. Additional instructions on reverse.

From: DAVIS, Corey 42898-053 1C-83 MDC Brooklyn
LAST NAME, FIRST, MIDDLE INITIAL REG. NO. UNIT INSTITUTION

Part A- INMATE REQUEST

Case manager Della Camelli brought my legal mail to me, opened it and read it. Upon reading it he saw a document which caused him to leave the mail with the range officer and make a phone call. He came back and took the entire envelope of legal mail. It was not returned until several hours later without a piece of discovery, which was removed from the envelope by the legal Department. 28 CFR 540.18 specifically says "do not read." Additionally, the piece of discovery was provided to me from MDC, via the U.S. Attorney. Even if Mr. Della Camelli questioned one document he had no right to take the other remaining privileged Attorney-Client mail and show it to anyone. I want to be informed what steps will be taken to assure this never happens again.

DATE

August 6, 2010

SIGNATURE OF REQUESTER

Part B- RESPONSE

DATE

WARDEN OR REGIONAL DIRECTOR

If dissatisfied with this response, you may appeal to the Regional Director. Your appeal must be received in the Regional Office within 20 calendar days of the date of this response.

ORIGINAL: RETURN TO INMATE

CASE NUMBER: 002100-FI

CASE NUMBER: _____

Part C- RECEIPT

Return to: _____
LAST NAME, FIRST, MIDDLE INITIAL REG. NO. UNIT INSTITUTION

SUBJECT: _____

DATE

RECIPIENT'S SIGNATURE (STAFF MEMBER)

EXHIBIT L

Inmate Name: **DAVIS**, Corey
Register Number: 42898-053
Administrative Remedy No.: 602160-F1

This is in response to your Request for Administrative Remedy, dated August 6, 2010, concerning legal mail. You allege your legal mail was taken and not returned until several hours later. Specifically, you request to be informed what steps will be taken to assure this does not happen again.

Pursuant to Program Statement 5265.11, Correspondence, the staff of each institution of the Bureau of Prisons has the authority to open all mail addressed to inmates within the facility prior to the mail being delivered. Moreover, adequately identified special and/or legal mail is delivered to the addressed inmate in which it is opened and checked for contraband in the inmate's presence. Legal mail was received at the institution on your behalf. Subsequent to opening the legal mail, in your presence, documents were identified that possibly posed security concerns to the orderly running of the institution. Accordingly, the aforementioned documents were removed for internal review. Upon completion of the internal review process the documents were returned to you on the same day.

Accordingly, this response is for informational purposes only.

If you are dissatisfied with this response, you may appeal to the Regional Director, Federal Bureau of Prisons, U.S. Customs House 2nd and Chestnut Streets, Philadelphia, PA 19106, within 20 calendar days of the date of this response.

8/26/10
Date

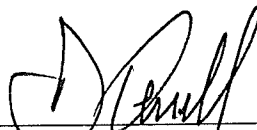

Duke Terrell, Warden

EXHIBIT M

ROBIN C. SMITH, ESQ.
ATTORNEY AT LAW
25 EIGHTH AVENUE SUITE B
BROOKLYN, NY 11217

TRIBORO NY 112
BROOKLYN-QNS-STATEN ISL
31 AUG 2010 PM 1 T



K05

Corey Davis
42898-053
Metropolitan Detention Center
PO Box 329002
Brooklyn, New York 11232

LEGAL MAIL
OPEN ONLY IN PRESENCE
OF ADDRESSEE

received September 2, 2010
via general Mail

11232+9002

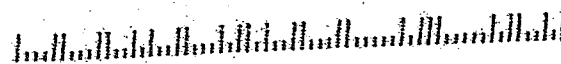


EXHIBIT N

copy

INMATE REQUEST FOR INFORMAL RESOLUTIONNAME Corey DAVIS REG. NO. 42898-053UNIT K-83Specific Issue Needing Resolution The continued harassment and violations by opening my legal mail. I need it to stop happeningExplain, in detail the issue: On Sept. 2, 2010 I received a letter

marked "Legal Mail-Open only in presence of address"
It was opened and delivered through the general mail process. Then again on Sept. 7,
2010 a letter from the Clerk of the U.S. District Court with the Clerk's name
affixed on the envelope and stamped "Special Mail-Open only in the presence
of inmate" was opened and delivered through the general mail process.

INMATE SIGNATURE Corey Davis DATE September 8, 2010

TO BE COMPLETED BY COUNSELOR

Date Received: _____

Action Taken: _____

COUNSELOR SIGNATURE _____ DATE _____

TO BE COMPLETED BY UNIT MANAGER

Informal Resolution Received _____

Unit Manager Signature _____ Date _____

Extension Granted _____ Date Due _____

Reason for Extension _____

UNIT MANAGER
APPROVAL _____ DATE _____

EXHIBIT O

OFFICE OF THE CLERK

UNITED STATES DISTRICT COURT

US COURTHOUSE

915 LAFAYETTE BOULEVARD

BRIDGEPORT, CONNECTICUT 06604

OFFICIAL BUSINESS

Corey Davis 428898-053
MDC Brooklyn 80-29st
Brooklyn, New York 11232

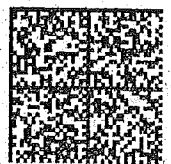
**Note: You may receive notice that the
order. You also may receive document**

ROBERTA D. TROTTER

**SPECIAL MAIL-
OPEN ONLY IN THE
PRESENCE OF INMATE**

KOS

*Received Sept. 7, 2010
via general Mail*



UNITED STATES POSTAGE
\$0.21M
000 4238366 SE
MAILED FROM ZIP C